IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15980 of 2004

Between:

Kakaralapudi Lakshmipathiraju S/o. Venkata Subba Raju
R/o. Mallavaram Village, Manuguru Mandal,
Khammam District.

..... PETITIONER

AND

1 The Addl. Agent to Govt & Project Officer, ITDA, Bhadrachalam, Khammam District.
2 The Special Deputy Collector (TW), Bhadrachalam, Khammam District.
3 Mandal Revenue Officer, Manuguru, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ, direction or order more particularly in the nature of Mandamus directing the respondents herein not to disturb the possession of the petitioner from the land in Sy.No.138/1352 extent of Ac.6.00 gts situated in Manuguru Village, Manuguru Mandal, Khammam District pending disposal of the appeal CMA.No.12 of 2003 on the file of the Addl. Agent to Government & Project Officer, I.T.D.A., Bhadrachalam.

Counsel for the Petitioner: MR.R.KAMESWAR RAO

Counsel for the Respondent Nos. 1 to 3: GP FOR SOCIAL WELFARE

The Court at the stage of admission made the following ORDER:

Against the ejectment order passed by the second respondent in Case No.53/2000/MGR dated 11.11.2002, the petitioner filed an appeal before the Agent to Government, Khammam, along with an application seeking stay of the ejectment order and the same was posted for hearing on 13.06.2003 and adjourned to 04.11.2003. On 25.11.2003, an order was passed by the Agent to Government by transferring the appeal to the Additional Agent to Government/Project Officer, Bhadrachalam – first respondent herein and the same is pending. So far, no orders have been passed on the stay application filed by the petitioner. Therefore, he filed the present writ petition.

Having regard to the fact that the statutory appeal is pending, the petitioner shall not be dispossessed from the suit schedule property.

The writ petition is disposed of and status quo, obtaining as on today, with regard to the possession shall be maintained till the disposal of the appeal before the first respondent. No costs.

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A.Gopal Reddy, J

Date: 08.09.2004

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To

1 The Addl. Agent to Govt & Project Officer, ITDA, Bhadrachalam,

Khammam District.

2 The Special Deputy Collector (TW), Bhadrachalam,
Khammam District.

3 Mandal Revenue Officer, Manuguru, Khammam District.

4 Two CCs to G.P. for Social Welfare, High Court of A.P Buildings,
Hyderabad(OUT)

5 Two CD Copies